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No. of Pages (including this): 9

Subject: Request for Certificate of Correction

Date: March 13, 2009

U.S. Patent No. 7,491,205

Issued: February 17, 2009

Gary Karlin Michelson

INSTRUMENTATION FOR THE SURGICAL
CORRECTION OF HUMAN THORACIC AND
LUMBAR SPINAL DISEASE FROM THE
LATERAL ASPECT OF THE SPINE

Attorney Docket No.: 102.0010-01000

Customer No. 22882

Certificate
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of Correction

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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Request for Certificate of Correction (total amount of \$100.00 to cover the requisite fee is to be charged to Deposit Account No. 50-3726) and Form PTO/SB/44 (in duplicate) with 4 sheets of supporting documents are being facsimile transmitted to the U.S. Patent and Trademark Office on March 13, 2009.


Sandra L. Blackmon

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PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent of:)
Gary Karl In Michelson) (Serial No.: 08/480,461)
Patent No.: 7,491,205)
Issue Date: February 17, 2009) (Filed: June 7, 1995)
For: INSTRUMENTATION FOR THE)
SURGICAL CORRECTION OF)
HUMAN THORACIC AND LUMBAR)
SPINAL DISEASE FROM THE)
LATERAL ASPECT OF THE SPINE)

Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR CERTIFICATE OF CORRECTION

Pursuant to 35 U.S.C. §§ 254 and 255 and 37 C.F.R. §§ 1.322 and 1.323, this is a request for the issuance of a Certificate of Correction in the above-identified patent. Two (2) copies of Form PTO/SB/44 are appended. The complete Certificate of Correction involves one (1) page.

The mistake identified in the appended Form to the spelling of the Eatherly et al. reference (U.S. Patent No. 4,070,514) is of a clerical or typographical nature, or of minor character, and resulted from an error made in good faith by Applicant.

The remaining mistakes identified in the appended Form occurred through the fault of the Patent Office, as clearly disclosed by the records of the application which matured into this patent, and as evidenced in the attached copies of the following documents:

1. Pages 15 and 16 of the November 23, 1998 Information Disclosure Statement Form PTO-1449, showing the correct listing for the Bagby and Schmitz et al. references; and
2. Pages 1 and 2 4 of the August 6, 2004 Information Disclosure

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Statement Form PTO-1449, showing the correct listing for the
Cloward, Hutter, Lin, and Harmon references.

The requisite fee of \$100.00 as set forth in 37 C.F.R. § 1.20(a) to cover the costs
of issuing this Certificate is to be charged to Deposit Account No. 50-3726.

Should any additional fees be needed, authorization is hereby given to charge any
fees due in connection with the filing of this request to Deposit Account No. 50-3726.

Issuance of the Certificate of Correction containing the correction is earnestly
requested.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: March 13, 2009

By: 

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MAR 17 2009

PTO/SB/44 (04-05)
(Also Form PTO-1050)UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 7,491,205
APPLICATION NO. : 08/480,461
ISSUE DATE : February 17, 2009
INVENTOR(S) : Gary Karlin Michelson

Page 1 of 1

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title Page 2, Section (56) U.S. PATENT DOCUMENTS:

Column 1, U.S. Patent No. 4,070,514: change "Entherly" to -Eatherly-.

Title Page 4, Section (56) OTHER PUBLICATIONS, Column 1:

Line 30: change "Dowel" to -Dowel-; and

Line 43: change "vol. No." to -vol. 7 No.-.

Title Page 4, Section (56) OTHER PUBLICATIONS, Column 2:

Line 7: change "Artifical" to -Artificial-;

Line 23: change "Fushlon" to -Fusion-;

Line 26: change "285-293" to -pp. 285-293-;

Line 32: change "Orthopaedics" to -Orthopaedics-;

Line 34: change "144-122" to -114-122-; and

Line 55: change "Advoidance" to -Avoidance-.

Mailing Address of Sender:
Martin & Ferraro, LLP
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PATENT NO. 7,491,205

MAR 17 2009

PTO/SB/44 (04-05)
(Also Form PTO-1050)UNITED STATES PATENT AND TRADEMARK OFFICE
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Page 1 of 1

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Line 43: change "vol. No." to -vol. 7 No.--.

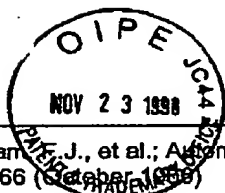
Title Page 4, Section (56) OTHER PUBLICATIONS, Column 2:

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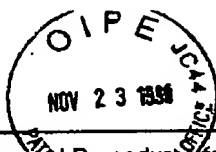
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PATENT NO. 7,491,205

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| Examiner | <i>[Signature]</i> | Date Considered 5/6/02 |
| *Examiner: | Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |
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| Substitute for FORM PTO-1449 | | Attorney Docket Number 102.0010-01000 | | Customer No. 22882 | |
|-------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|----------------|----------------------------------|-------------------------------|
| INFORMATION DISCLOSURE CITATION IN AN APPLICATION | | Applicant Gary K. Michelson | | Application Number 08/480,461 | |
| (Use several sheets if necessary) Sheet <u>1</u> of <u>2</u> | | Filing Date June 7, 1995 | | Group Art Unit 3764 | Examiner M. Brown |
| U.S. PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | FILING DATE IF APPROPRIATE |
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| FOREIGN PATENT DOCUMENTS | | | | | |
| | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | TRANSLATION (YES/NO) |
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| EXAMINER | DATE CONSIDERED |
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